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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

EASYWEB INNOVATIONS, LLC, Plaintiff, v. TWITTER, INC., Defendant.	Civil Action No. CV - 4550 **JURY TRIAL DEMANDED**

SUMMONS ISSUED

COMPLAINT

Plaintiff, EasyWeb Innovations, LLC ("EasyWeb"), through its undersigned counsel, hereby alleges as follows:

BIANCO, J.

PARTIES

1. Plaintiff EasyWeb Innovations, LLC is a New York limited liability company having a principal place of business at 3280 Sunrise Highway, Suite 171, Wantagh, New York 11793.

2. Defendant Twitter, Inc. ("Twitter") is a Delaware corporation with its principal place of business at 795 Folsom Street, Suite 600, San Francisco, CA 94107. Twitter may be served with process by serving its registered agent, Incorporating Services, Ltd., 3500 South Dupont Highway, Dover, DE 19901.

NATURE OF THE ACTION

3. This is a civil action for the infringement of United States Patent Numbers 7,032,030, 7,596,606, 7,685,247, 7,689,658, and 7,698,372 (collectively, the "Patents-in-Suit") under the Patent Laws of the United States 35 U.S.C. § 1 *et seq*.

JURISDICTION AND VENUE

4. This Court has jurisdiction over the subject matter of this action pursuant to 28 U.S.C. §§ 1331 and 1338(a) because this action arises under the patent laws of the United States, including 35 U.S.C. § 271 *et seq.*

5. This Court has personal jurisdiction over Twitter because, among other things, Twitter has committed, aided, abetted, contributed to and/or participated in the commission of acts giving rise to this action within the State of New York and this judicial district and has established minimum contacts within the forum such that the exercise of jurisdiction over Twitter would not offend traditional notions of fair play and substantial justice. Twitter has placed products and services that practice the claims of the Patents-in-Suit into the stream of commerce with the reasonable expectation and/or knowledge that actual or potential users of such products and/or services were located within this judicial district. Twitter has sold, advertised, solicited customers, marketed and distributed its services that practice the claims of the Patents-in-Suit in this judicial district.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391 and 1400(b).

THE PATENTS-IN-SUIT

7. EasyWeb realleges and incorporates by reference the allegations set forth in Paragraphs 1-6 above as if fully set forth herein.

8. On April 18, 2006, United States Patent Number 7,032,030 ("the '030 patent"), titled, "Message Publishing System and Method," was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the '030 patent is attached hereto as Exhibit A.

9. EasyWeb is the assignee of the '030 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

10. On September 29, 2009, United States Patent Number 7,596,606 ("the '606 patent), titled, "Message Publishing System for Publishing Messages from Identified, Authorized Senders," was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the '606 patent is attached hereto as Exhibit B.

11. EasyWeb is the assignee of the '606 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

12. On March 23, 2010, United States Patent Number 7,685,247 ("the '247 patent"), titled, "System for Publishing and Converting Messages from Identified, Authorized Senders," was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the '247 patent is attached hereto as Exhibit C.

13. EasyWeb is the assignee of the '247 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

14. On March 30, 2010, United States Patent Number 7,689,658 ("the '658 patent), titled, "Method for Publishing Messages from Identified, Authorized Senders to Subscribers," was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the '658 patent is attached hereto as Exhibit D.

15. EasyWeb is the assignee of the '658 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

16. On April 13, 2010, United States Patent Number 7,698,372 ("the '372 patent), titled, "System for Publishing Messages from Identified, Authorized Senders to Subscribers," was duly and lawfully issued by the United States Patent and Trademark Office. A true and correct copy of the '372 patent is attached hereto as Exhibit E.

17. EasyWeb is the assignee of the '372 patent and holds the right to sue for and recover all damages for infringement thereof, including past infringement.

18. On June 2, 2011, EasyWeb notified Twitter of the Patents-in-Suit and of Twitter's infringement of those patents.

19. To date, Twitter has not taken a license to the Patents-In-Suit.

COUNT I

(Infringement of the '030 Patent)

20. Paragraphs 1-19 are incorporated by reference as if fully restated herein.

21. Twitter has infringed, contributed to the infringement of, and/or induced others to infringe one or more of the claims of the '030 patent by having made, designed, offered for sale, sold, provided, used, maintained and/or supported its "twitter.com" website and service in this judicial district and elsewhere in the United States. Twitter's infringement is continuing.

22. Twitter has willfully infringed and continues to willfully infringe the '030 patent. Twitter has continued its infringement despite its knowledge of the '030 patent and despite having received written notice of its infringement from EasyWeb.

23. Twitter's acts of infringement have caused damage to EasyWeb. Under 35 U.S.C. § 284, EasyWeb is entitled to recover from Twitter the damages sustained by EasyWeb as a result of its infringement of the '030 patent.

COUNT II

(Infringement of the '606 Patent)

24. Paragraphs 1-23 are incorporated by reference as if fully restated herein.

25. Twitter has infringed, contributed to the infringement of, and/or induced others to infringe one or more of the claims of the '606 patent by having made, designed, offered for sale, sold, provided, used, maintained and/or supported its "twitter.com" website and service in this judicial district and elsewhere in the United States. Twitter's infringement is continuing.

26. Twitter has willfully infringed and continues to willfully infringe the '606 patent. Twitter has continued its infringement despite its knowledge of the '606 patent and despite having received written notice of its infringement from EasyWeb.

27. Twitter's acts of infringement have caused damage to EasyWeb. Under 35 U.S.C. § 284, EasyWeb is entitled to recover from Twitter the damages sustained by EasyWeb as a result of its infringement of the '606 patent.

COUNT III

(Infringement of the '247 Patent)

28. Paragraphs 1-27 are incorporated by reference as if fully restated herein.

29. Twitter has infringed, contributed to the infringement of, and/or induced others to infringe one or more of the claims of the '247 patent by having made, designed, offered for sale, sold, provided, used, maintained and/or supported its "twitter.com" website and service in this judicial district and elsewhere in the United States. Twitter's infringement is continuing.

30. Twitter has willfully infringed and continues to willfully infringe the '247 patent. Twitter has continued its infringement despite its knowledge of the '247 patent and despite having received written notice of its infringement from EasyWeb.

31. Twitter's acts of infringement have caused damage to EasyWeb. Under 35 U.S.C. § 284, EasyWeb is entitled to recover from Twitter the damages sustained by EasyWeb as a result of its infringement of the '247 patent.

COUNT IV

(Infringement of the '658 Patent)

32. Paragraphs 1-31 are incorporated by reference as if fully restated herein.

33. Twitter has infringed, contributed to the infringement of, and/or induced others to infringe one or more of the claims of the '658 patent by having made, designed, offered for sale, sold, provided, used, maintained and/or supported its "twitter.com" website and service in this judicial district and elsewhere in the United States. Twitter's infringement is continuing.

34. Twitter has willfully infringed and continues to willfully infringe the '658 patent. Twitter has continued its infringement despite its knowledge of the '658 patent and despite having received written notice of its infringement from EasyWeb.

35. Twitter's acts of infringement have caused damage to EasyWeb. Under 35 U.S.C. § 284, EasyWeb is entitled to recover from Twitter the damages sustained by EasyWeb as a result of its infringement of the '658 patent.

COUNT V

(Infringement of the '372 Patent)

36. Paragraphs 1-35 are incorporated by reference as if fully restated herein.

37. Twitter has infringed, contributed to the infringement of, and/or induced others to infringe one or more of the claims of the '372 patent by having made, designed, offered for sale, sold, provided, used, maintained and/or supported its "twitter.com" website and service in this judicial district and elsewhere in the United States. Twitter's infringement is continuing.

38. Twitter has willfully infringed and continues to willfully infringe the '372 patent. Twitter has continued its infringement despite its knowledge of the '372 patent and despite having received written notice of its infringement from EasyWeb.

39. Twitter's acts of infringement have caused damage to EasyWeb. Under 35 U.S.C. § 284, EasyWeb is entitled to recover from Twitter the damages sustained by EasyWeb as a result of its infringement of the '372 patent.

PRAYER FOR RELIEF

WHEREFORE, EasyWeb respectfully requests that this Court enter judgment against Twitter as follows:

a) that Twitter has infringed each of the Patents-in-Suit;

b) that Twitter's infringement is willful;

c) that EasyWeb be awarded damages in accordance with 35 U.S.C. § 284, and, if necessary to adequately compensate EasyWeb for Twitter's infringement, an accounting;

d) that this case is exceptional under 35 U.S.C. § 285;

e) that EasyWeb be awarded the attorney fees, costs, and expenses that it incurs in prosecuting this action; and

f) that EasyWeb be awarded such further relief at law or in equity as the Court deems just and proper.

DEMAND FOR JURY TRIAL

EasyWeb hereby demands trial by jury on all claims and issues so triable.

DATED: September 19, 2011

Respectfully submitted,

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